

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

NICOLE STREETER,

Plaintiff,

vs.

NANCY A. BERRYHILL,
Acting Commissioner, Social Security
Administration,

Defendant.

Case No. 15-CV-438-FHM

OPINION AND ORDER

On February 16, 2017, the court issued an Opinion and Order affirming the Commissioner's decision, [Dkt. 24], and entering judgment for the Commissioner against Plaintiff. [Dkt. 25]. On March 17, 2017, the court received a letter in reference to the captioned case from pro se Plaintiff, Nicole Streeter, in which she outlined her health problems and expressed her hope that she could obtain assistance in getting medical care. [Dkt. 26]. The court construes Plaintiff's letter as a motion for new trial or to alter or amend judgment under Fed.R.Civ.P. 59. The court finds that Plaintiff has not demonstrated any grounds for relief under Rule 59. Therefore Plaintiff's motion is DENIED.

In this case Ms. Streeter appealed the Commissioner's denial of her application for Social Security disability benefits. In such a case the court's role is strictly defined by statute. The court can only look at the record presented to the Commissioner to determine whether the record as a whole contains substantial evidence to support the denial decision and to determine whether the Commissioner applied the correct legal standards in making the decision. *See Briggs ex rel. Briggs v. Massanari*, 248 F.3d 1235, 1237 (10th Cir. 2001); *Winfrey v. Chater*, 92 F.3d 1017 (10th Cir. 1996); *Castellano v. Secretary of Health &*

Human Servs., 26 F.3d 1027, 1028 (10th Cir. 1994). The court can do nothing more than this. The court may not reweigh the evidence nor may it substitute its judgment for that of the Commissioner. *Casias v. Secretary of Health & Human Servs.*, 933 F.2d 799, 800 (10th Cir. 1991). All of which means that the court has no power to help Ms. Streeter obtain assistance in getting medical care, as she requests.

Ms. Streeter's case before this court was decided in accordance with the power granted the court by statute, 42 U.S.C. § 405(g), to review final decisions made by the Commissioner of the Social Security Administration. Ms Streeter's request for further relief, [Dkt. 26], is DENIED.

SO ORDERED this 30th day of March, 2017.


FRANK H. McCARTHY
UNITED STATES MAGISTRATE JUDGE